

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Thomas Corey Payne, and Kayla Harris,)
Individually and on Behalf of All Others)
Similarly Situated,)
Plaintiffs,) **DEFENDANT AMAZON.COM, INC.'S**
vs.) **MOTION TO DISMISS AND TO COMPEL**
Defendant.) **ARBITRATION OR, ALTERNATIVELY,**
) **TO STAY**
Amazon.com, Inc.,)
) C.A. No. 2:17-cv-2313-PMD
)

The defendant, Amazon.com, Inc. (“Amazon”), by and through its undersigned counsel, moves the court for an order pursuant to the Federal Arbitration Act, 9 U.S.C. §1 *et seq.* dismissing the complaint of the plaintiffs and compelling arbitration between plaintiff and Amazon, or, alternatively, staying the action pending arbitration. This motion is based upon the arbitration agreement between the parties attached hereto as Exhibit A, the Federal Arbitration Act, 9 U.S.C. §1 *et seq.*, the pleadings in this case, as well as the memorandum of law in support of Amazon’s motion filed herewith.

/s/ Phillip E. Reeves
Phillip E. Reeves (Fed. No. 03232)
Jennifer E. Johnsen (Fed. No. 5427)
Nicholas A. Farr (Fed. No. 11069)
Gallivan, White & Boyd, P.A.
Post Office Box 10589
Greenville, South Carolina 29603
(864) 271-9580
Fax: (864) 271-7502

Greenville, South Carolina

Attorneys for Amazon.com, Inc.

October 17, 2017